



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,240	02/26/2002	Yoshifumi Arai	YOKOP001	8018
22434	7590	08/08/2007		
BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER BAKER, CHARLOTTE M	
			ART UNIT	PAPER NUMBER
			2625	
			MAIL DATE	DELIVERY MODE
			08/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/085,240	Applicant(s) ARAI ET AL.	
	Examiner Charlotte M. Baker	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-18 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12 and 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakajima (6,950,197).

Regarding claim 1: Nakajima discloses acquire from said client (Fig. 1, client PC 4) data relating to actual colors (patch data, col. 6, ln. 36-43) printed by a printer (Fig. 1, printer 2) associated with said client (Fig. 1, client PC 4); create said color matching information based on said data relating to actual colors printed (patch data, col. 6, ln. 36-43) and data relating to said prescribed standard colors (calibration table) that effectively describes said prescribed standard colors (patch data, col. 5, ln. 47 through col. 6, ln. 35); and send the color matching information to said client (Fig. 1, client PC 4), thereby allowing said client (Fig. 1, client PC 4) to use said

Art Unit: 2625

color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) to convert said color data to said prescribed standard colors (patch data, col. 5, ln. 47 through col. 6, ln. 35).

Regarding claim 2: Nakajima discloses send to a server (Fig. 1, server PC 1) data of actual colors (patch data) printed by a printer (Fig. 1, printer 2) associated with said client (Fig. 1, client PC 4) in the environment of said client (Fig. 1, client PC 4); acquire color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) for said actual colors (patch data) from said server (Fig. 1, server PC 1), wherein said color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) permits reproduction of prescribed standard colors (calibration table, Fig. 2, S23) and is determined based on said data relating to actual colors printed (patch data) and data relating to said prescribed standard colors that effectively describes said prescribed standard colors (calibration table, Fig. 2, S23), thereby allowing said client (Fig. 1, client PC 4) to use said color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) to convert said color data (patch data) to said prescribed standard colors (calibration table); and convert color data based on said color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) to said prescribed standard colors (calibration table).

Regarding claim 3: Nakajima discloses a measured data acquiring component (Fig. 1, scanner 3) capable of acquiring the measured data of the image for colorimetry having a plurality of tones (patch data) for each of said printing colorants (CMYK) which is printed by said a print control client (Fig. 1, printer 2) (col. 6, ln. 47 through col. 7, ln. 5); a color matching information creating component (Fig. 8, color matching S82 and col. 8, ln. 18-33) capable of creating said color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) based on the measured data (patch data measured by scanner 3) of the image for colorimetry for said

Art Unit: 2625

individual printing colorants (CMYK) and the measured data of said standard colors (calibration table) corresponding to the printing colorants which have previously been acquired (patch data); and a color matching information output component (Fig. 1, server PC 1) capable of outputting the color matching information (col. 8, ln. 17-55).

Regarding claim 4: Nakajima discloses a colorimetry image print controller (Fig. 1, server PC 1) capable of controlling the printing of images for colorimetry with a plurality of tones (patch data) for each of said printing colorants (CMYK) to determine measured data (patch data measured by scanner 3); a receiver/sender (Fig. 1, network 5) capable of receiving the measured data of the images (patch data measured by scanner 3) and sending it to said print control server (Fig. 1, server PC 1); an acquiring component (Fig. 1, printer 2) capable of acquiring said color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) from said print control server (Fig. 1, server PC 1); and a converter (Fig. 8, binarization S85) capable of converting said print data (patch data) into said color data based on said color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33).

Regarding claim 5: Nakajima satisfies all the elements of claim 3. Nakajima further discloses wherein the measured data (patch data measured by scanner 3) of said print control client (Fig. 1, printer 2) is lightness data of the image for colorimetry with a plurality of tones (col. 5, ln. 47 through col. 6, ln. 67) for each of said printing colorants (CMYK).

Regarding claim 6: Nakajima satisfies all the elements of claim 4. Nakajima further discloses wherein the measured data (patch data measured by scanner 3) of said image for colorimetry is lightness data and said receiver/sender (Fig. 1, network 5) receives the input of the lightness data

of the image for colorimetry (col. 5, ln. 47 through col. 6, ln. 67) and sends it to said print control server (Fig. 1, server PC 1 via network 5).

Regarding claim 7: Nakajima discloses a colorimetry image print controller (Fig. 1, server PC 1) capable of controlling the printing of colorimetry images with a plurality of tones (patch data) for each of said printing colorants (CMYK); a lightness data receiver/sender (Fig. 1, network 5) capable of receiving the input of the lightness data of said colorimetry image (col. 5, ln. 47 through col. 6, ln. 67) and sending it to said print control server (Fig. 1, server PC 1); and a color matching information acquisition component capable of acquiring said color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) from said print control server (Fig. 1, server PC 1); wherein said print control server (Fig. 1, server PC 1); comprises: a standard color lightness data storing region (col. 5, ln. 36-39, processing is executed by server PC1) in which is stored the lightness data of said standard color (calibration table); a lightness data acquisition component capable of acquiring the lightness data of the colorimetry image (col. 5, ln. 47 through col. 6, ln. 67) for each of said printing colorants (CMYK) which is printed by said print control client (Fig. 1, printer 2); a color matching information creating component (Fig. 8, color matching S82 and col. 8, ln. 18-33) capable of creating said color matching information based on the lightness data of the colorimetry image for each of said printing colorants (CMYK) and the lightness data (col. 5, ln. 47 through col. 6, ln. 67) of said standard colors corresponding to the printing colorants (CMYK); and a color matching information output component (Fig. 1, server PC 1) capable of outputting to said print control client the color matching information (col. 8, ln. 17-55).

Regarding claim 8: Nakajima satisfies all the elements of claim 7. Nakajima discloses wherein said print control client (Fig. 1, printer 2) further includes an image data sending component (Fig. 1, network 5) capable of acquiring image data from an image capturing equipment (Fig. 1, scanner 3) to capture image data of an image for colorimetry and sending it to said print control server (Fig. 1, server PC 1), and said lightness data acquisition component converts the image data entered from said print control client into the lightness data (col. 5, ln. 47 through col. 6, ln. 67), thereby acquiring the lightness data of said image for colorimetry (col. 5, ln. 47 through col. 6, ln. 67).

Regarding claim 9: Nakajima satisfies all the elements of claim 8. Nakajima discloses wherein said image capturing equipment is a scanner (Fig. 1, scanner 3).

Regarding claim 10: Nakajima satisfies all the elements of claim 7. Nakajima further discloses wherein said color matching information (Fig. 8, color matching S82 and col. 8, ln. 18-33) is a tone value correction table which makes the tone value of the color data converted from said print data (patch data) correspond to the tone value for color reproduction to match said standard color with printing colorants (YMCK) corresponding to said color data (col. 8, 18-55).

Regarding claim 11: Nakajima satisfies all the elements of claim 7. Nakajima further discloses wherein said color matching information (col. 8, 18-55) is provided in the form of color conversion table in which the relation between input and output is corrected (col. 8, 18-55).

Regarding claim 12: Nakajima satisfies all the elements of claim 7. Nakajima further discloses wherein said print control client includes a first and second print control clients, said first print control client (Fig. 1, client PC 4) comprising a standard color lightness data sending component

(Fig. 1, network 5) capable of receiving the input of the lightness data of said standard colors and sending to said print control server (Fig. 1, server PC 1) the lightness data of standard colors which has been entered; said print control server (Fig. 1, server PC 1) comprising a standard color lightness data storing component (col. 5, ln. 36-39, processing is executed by server PC1) capable of storing in said standard color lightness data storing region the lightness data of said standard colors which is entered from said first print control client (Fig. 1, client PC 4); and wherein said color matching information output component (Fig. 1, server PC 1) outputs to said second print control client (Fig. 1, printer 2) said color matching information (col. 8, 18-55) which has been created based on the lightness data of said standard colors entered from said first print control client (Fig. 1, client PC 4).

Regarding claim 14: Nakajima satisfies all the elements of claim 7. Nakajima further discloses wherein said print control client (Fig. 1, client PC 4) has an identification information sending component capable of acquiring the identification information (network management) of the equipment which reproduces colors with said printing colorants (CMYK) and sending it to said print control server (Fig. 1, server PC 1), and said color matching information (col. 8, 18-55) creating component is capable of creating said color matching information (col. 8, 18-55) based on the lightness data of said standard colors corresponding to the identification information entered from said print control client (Fig. 1, client PC 4 and col. 5, ln. 1-46).

Regarding claim 15: The structural elements of apparatus claim 3 perform all of the steps of method claim 15. Thus, claim 15 is rejected for the same reasons discussed in the rejection of claim 3.

Regarding claim 16: Arguments analogous to those stated in the rejection of claim 3 are applicable. A computer readable medium storing a print control computer program code is inherently taught as evidenced by server PC 1 and various memories stored therein.

Regarding claim 17: Nakajima discloses a communicating component (Fig. 1, network 5) capable of transmission and reception of data through a communication line (Fig. 1); a read color data acquisition component (Fig. 1, server PC 1) capable of acquiring through said communication line (Fig. 1, network 5) the read color data obtained by reading with a prescribed image input device (Fig. 1, scanner 3) the color charts (patch data) printed by a specific printing device (Fig. 1, printer 2) based on prescribed print color data (calibration table); a color character description data acquisition component (Fig. 1, server PC 1) capable of acquiring through a prescribed interface (Fig. 1, network 5) the color character description data (calibration data) to match the print color data of the image input device with the prescribed standard color space coordinate values (col. 8, ln. 18-55); a profile data creating component (Fig. 1, server PC 1) capable of creating the profile data defining correspondence between the printed color data (patch data) and the prescribed standard color space coordinate values (CMYK) by matching the read color data with the standard color space coordinate value with reference to the color character description data (calibration data) (col. 8, ln. 18-55); and a profile data output (Fig. 1, server PC 1) capable of outputting through the communication line (Fig. 1, network 5) the thus created profile data (col. 8, ln. 18-55).

Regarding claim 18: Nakajima discloses a color chart print demand receiving component capable of receiving a demand to print a prescribed color chart by said printing device (Fig. 1, printer 2) (col. 5, ln. 36-46); a printing control component (Fig. 1, server PC 1) capable of

Art Unit: 2625

controlling the print execution by said printing device (Fig. 1, printer 2) based on a prescribed printing color data (patch data) in compliance with the printing demand (col. 5, ln. 36-46) from said color chart print demand receiving component (Fig. 1, printer 2); a color chart reading demand receiving component (Fig. 1, network 5) capable of receiving a demand (col. 6, ln. 44-46 and col. 7, ln. 1-5) to read by said image input device (Fig. 1, scanner 3) the color chart printed (patch data) in accordance with the control effectively provided by said print control component (Fig. 1, server PC 1); an image input device control component (scanner driver) capable of controlling said image input device (Fig. 1, scanner 3) in compliance with the read demand from said color chart reading demand receiving component (Fig. 1, network 5) and acquiring the read color data of said color chart (col. 6, ln. 44 through col. 7, ln. 5); a color character description data acquisition component (Fig. 1, server PC 1) for controlling said image input device (Fig. 1, scanner 3) and acquiring the color character description data (calibration data) previously stored in said image input device (Fig. 1, scanner 3), said data matching the read color data with the prescribed standard color space coordinate value and being measured for the individual input image devices (col. 8, ln. 18-55); a communication component capable of transmission and reception of data through a communication line (Fig. 1, network 5); a data output component (Fig. 1, server PC 1) capable of outputting said printing color data (patch data), said read color data (measured patch data), and said color character description data (calibration data) through said communication component (Fig. 1, network 5); and a profile data acquisition component (Fig. 1, server PC 1) capable of acquiring the profile data of the printing device (Fig. 1, printer 2) through said communication component (Fig. 1, network 5).

Allowable Subject Matter

4. Claim 13 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kimura (6,885,474).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CMB

KA Williams

KIMBERLY WILLIAMS
PRIMARY PATENT EXAMINER